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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,221	09/26/2003	Kati Ahvonen	0172.42109X00	6825

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EXAMINER

NGUYEN, VAN KIM T

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,221

Applicant(s)

AHVONEN ET AL

Examiner

Van Kim T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-19, 24-56 and 58-65, and 69-73 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 20-23, 57 and 66-68 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Office Action is responsive to communications filed on July 11, 2005.

The amendments of claims 21-23 and 66-69 have made them overcome the rejection under 35 U.S.C. §112, second paragraph, thus the rejection of claims 21-23 and 66-69 has been withdrawn.

Applicants' arguments regarding claims 1-9, 12-19, 24-56, 58-65, and 70-73 have been fully considered, but they are not persuasive.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-9, 12-19, 24-56, 58-65, 69, and 70-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Widegren et al (US 6,621,793), hereinafter Widegren.

Regarding claims 1, 24, 36, and 48, as shown in Figures 17-20, Widegren discloses a system for controlling the providing of service to a policy system comprising three major components: the policy rules and storage (policy database), the policy enforcement point, and the policy decision point (col. 9: lines 67 - col. 10: line 3).

Widegren also discloses a method of providing services to user equipment (UE) in a communications network including a database storing subscriber information regarding users of the user equipment obtaining the services (bearer level), a policy enforcement entity (GGSN, EP, PCF) coupled to the user equipment for obtaining connection to sessions, and a policy decision

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entity (PCF) coupled to the policy enforcement entity and to the database (application server; col. 14: lines 36-47) for determining policy governing the providing of the services from at least one network or server (SIP Proxy Server; col. 13: lines 34-44) coupled to the policy decision entity (Fig. 20; Abstract; col. 11: lines 43-61; col. 15: lines 18-62).

The method comprising:

providing from the database (application server) to the policy decision entity (PCF) the subscriber information regarding permitted conditions for the users to obtain the services (subscribed QoS profile);

providing service provider information (IP BS Manager) from the at least one network or server (local SIP proxy server) regarding the services (bearer level) offered to the user equipment, which is utilized by the policy decision entity (col. 13: lines 55-59);

and forming policy rules (session thru/session termination) at the policy decision entity based upon the subscriber information and the service information (col. 15: lines 44-62); and

wherein a requesting user equipment (UE) transmits a request for a session to the communications network which is processed by the policy decision entity (PCF) in accordance with the policy rules to determine if a session is to be allowed and if the session is allowed determining characteristics of the service (bearer service) to be provided to the requesting user equipment and the policy enforcement entity enforces at least one characteristic of an allowed session upon the communication network to insure that the allowed session obtained by the requesting user equipment has the at least one characteristic of the allowed session (col. 10: lines 33-65; col. 13: lines 30 – col. 17: line 54, esp. col. 13: lines 45 – 63; col. 14: lines 18-59; and col. 15: lines 18-62).

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Regarding claims 2, 25, 37, and 49, Widegren also discloses the policy decision entity is a policy control function (col. 15: lines 28-30).

Regarding claims 3, 26, 38, and 50, Widegren also discloses the policy enforcement entity is a Gateway General Packet Radio Access Node (GGSN; col. 4: lines 34-45; col. 10: lines 26-33; col. 13: line 52 – col. 14: line 59).

Regarding claims 4, 6, 8, 30, 42, 51, 53, and 55, Widegren also discloses the subscriber information (types of bearer) comprises allowed services (authorized envelope) which may be provided to the user equipment by the at least one network or server (col. 13: lines 45-56; and col. 16: lines 44-65).

Regarding claim 5, 7, 9, 27-29, 31, 39-41, 43, 52, 54, and 56, Widegren also discloses the allowed services/characteristics are defined by a service name (e.g., traffic bandwidth requirements, security considerations), a quality of service class (QoS), and a bit rate (e.g., peak information rate, mean information rate) at which the requested session is provided to the requesting user equipment by the at least one network or server (col. 9: lines 46-61; col. 16: lines 50-51; and col. 17: lines 46-53).

Regarding claim 12, 14, 16, 18, 32, 34, 44, 46, 58, 60, 62, and 64, Widegren also discloses the service information comprises quality of service information (col. 9: lines 46-61; col. 16: lines 50-51; and col. 17: lines 46-53).

Regarding claim 13, 15, 17, 19, 33, 35, 45, 47, 59, 61, 63, and 65, Widegren also discloses the quality of service information comprises bandwidth (col. 2: lines 39-52; and col. 9: lines 49-61).

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Regarding claim 69, though Widegren does not explicitly call for making the policy rules as the default rule when the subscriber information is not available, but since that if the subscriber information is used to verify user's entitlement, in case of missing subscriber information, it is inherent the policy rules are used as default policy rules.

Regarding claims 70-73, Widegren also discloses the communication network is a packet switched network (col. 1: lines 15-18; and col. 4: lines 34-35).

Allowable Subject Matter

3. Claims 10, 11, 20-23, 57, and 66-68 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed July 11, 2005 have been fully considered but they are not persuasive.

Applicant argues Widegren fails to disclose or suggest “*providing from the database (application server) to the policy decision entity (PCF) the subscriber information ...*”, and “*to even mention that the application server stores or forwards the “subscribed QoS profile”*” (pages 20-21).

However, since Widegren teaches the QoS connection is connected or disconnected based on event triggered by the application server (col. 11: line 62 – col. 12: line), it is inherent the application server provides the user QoS information to the policy decision entity.

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According to still a further aspect, the gate is closed when the application server sends an event trigger(s) to the policy server to request a gate closing and the policy server sends a corresponding gate close command to the gateway support node to close the gate. (col. 11: line 62 – col. 12: line 12).

Applicant also argues *“there is no disclosure in Widegren that the IP BS Manager provides any information from the local SIP proxy server, ..., let alone providing service provider information ...”*.

However, as Widegren discloses *“..., the PCF may receive information from different applications that want to apply control to various functions. The application server support in the network may be provided by the proxy server.... While the function the different applications are controlling within the GGSN may be the same, the actual information supplied by the application and how that information is used may be different. Therefore, there may be a range of protocol between the PCF and the applications... When the IP BS Manager in the GGSN contacts the PCF, the PCF decides not just whether the UE is authorized for the bearer type, but whether the applications has approved the connection to be made at this time”*, (col. 14: lines 36-67). Inherently, the proxy server provides information regarding the services offered to the user equipment, which is utilized by the policy decision entity to either authorize or deny the QoS connection.

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Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Van Kim T. Nguyen
Examiner
Art Unit 2151

vkkn


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER